

STATE CIVIL INFRACTIONS

SCAO: Revised July, 2012

<u>MCL</u>	<u>Description</u>
28.422a(2)	Firearms. Purchaser failing to distribute copies of pistol sales record as required. Maximum fine \$250. Effective 1/7/09.
28.425f(1)	Concealed Pistol. Licensed individual failing to carry concealed weapon license in his/her possession at all times s/he is carrying the weapon. Maximum fine \$100. Effective 7/1/01.
28.425f(2)	Concealed Pistol. Licensed individual failing to show required documents upon request by a peace officer when s/he is carrying a concealed weapon. Maximum fine \$100. Effective 7/1/01.
28.425f(3)	Concealed Pistol. Licensed individual who is carrying a concealed pistol and stopped by a peace officer failing to immediately disclose that fact. Maximum fine: 1 st violation - \$500 or 6 months suspension of license, or both; subsequent violation within 3 years - \$1,000 and revocation of license.
28.425k(1)(c)	Concealed Pistol. Having a BAC .02-.08 while carrying a concealed pistol. Maximum fine \$100. License may be revoked for 1 year. Effective 7/1/01.
28.425o(6)	Concealed Pistol. Carrying a concealed pistol in a prohibited place, first offense. Maximum fine \$500. 6 months suspension of license. Effective 7/1/01.
28.462(1)	Fireworks. Using consumer fireworks on public property or private property of another without permission. Maximum fine \$500. Effective 1/1/12.
28.462(2)	Fireworks. Selling consumer fireworks to a minor. Maximum fine \$500. Effective 1/1/12. Effective 7/2/12.
35.442	Veteran's License to Sell Goods. Violating license requirements. Maximum fine \$1,000. Effective 5/7/96.
257.1873	Pupil Transportation Act. Violating standards/requirements in act, unless otherwise designated [MCL 257.1801 – 257.1877]. Maximum fine \$500. Effective 8/15/06.
259.179	Aeronautics Code. Hunting while on aircraft. Maximum fine \$500. 1 year prohibition of hunting license. Effective 7/3/96.
286.18(b)	Insect Pest and Plant Disease Act. Failing to obtain permit, unless violation is knowing

or intentional. Fine not less than \$1,000 or more than \$10,000, plus damages, unless violation voluntarily reported, then maximum fine \$500 plus damages [MCL 286.228]. Effective 9/1/05.

- 286.220 **Insect Pest and Plant Disease Act.** Failing to eradicate nuisance. Maximum fine \$1,000 plus expenses incurred by Department to abate the nuisance [MCL 286.228]. Effective 9/1/05.
- 286.223 **Insect Pest and Plant Disease Act.** Violating quarantine requirements, unless violation is knowing or intentional. Fine not less than \$1,000 or more than \$10,000 plus damages, unless violation voluntarily reported, then maximum fine \$500 plus damages [MCL 286.228]. Effective 9/1/05.
- 286.260(1) **Insect Pests and Plant Diseases.** Violating a rule or order that requires destruction of plant. Maximum fine \$1,000 plus expenses incurred by the Department in destroying the plants. Effective 9/1/05.
- 286.260(2) **Insect Pests and Plant Diseases.** Violating a rule or order that requires quarantine of plant, unless violation is knowing or intentional. Fine not less than \$1,000 or more than \$10,000 plus damages, unless violation voluntarily reported, then maximum fine \$500 plus damages. Effective 9/1/05.
- 324.504 **Department of Natural Resources.** Violating a rule or order promulgated for protection of state lands [R299.292; R299.921 – R299.933]. Maximum fine \$500. Effective 4/18/96.
- 324.8902 **Littering.** Littering on public or private property. Fine based on volume or type of litter [MCL 324.8905a]. Effective 3/9/98.
- 324.9121 **Soil Erosion and Sedimentation Control.** Violating control measures. In general, maximum fine \$2,500. Maximum fine \$10,000 per day for knowingly violating or making false statement in an application or permit or in soil erosion and sedimentation control plan. Fine of not less than \$2,500 or more than \$25,000 per day for a person who knowingly violates after receiving a notice of determination. [See statute for direction on distribution of fine to state or local unit of government, depending upon who filed the action; distribution of costs follows MCL 600.8379.] Court may order respondent to restore areas damaged to their condition prior to the violation. Effective 1/11/01.
- 324.11522(4) **Solid Waste Management.** Open burning of certain household waste by individual. 1st violation within 3 years – warning. Maximum fine for 2nd violation within 3 years - \$75; 3rd violation within 3 years - \$150; 4th or subsequent violation within 3 years - \$300. Effective 4/19/12.

- 324.41325 **Transgenic and Nonnative Organisms.** Placing boat, boating equipment, or boat trailer in Michigan waters if aquatic plant attached (except for wild rice). Maximum fine \$100. Effective 9/15/09.
- 324.74116 **State Parks System.** Entering state park without recreation passport fee being paid or without a valid park permit affixed. Maximum fine \$100 [MCL 324.74122(2)]. Effective October 1, 2010.
- 324.76901 **Mackinac Island State Park Rules.** Violating a rule promulgated by the Mackinac Island state park commission under the Natural Resources and Environmental Protection Act. Maximum fine \$500. Effective 8/6/01.
- 324.78119 **Michigan State Waterways Commission.** Entering state-operated public boating access site without recreation passport fee being paid or without a valid pass affixed. Maximum fine \$100. Effective October 1, 2010.
- 324.80114 **Marine Safety.** Violating a rule promulgated to establish performance or other safety standards relating to boat construction or the installation, use or carriage of associated equipment [R281.1231 - R281.1252]. Maximum fine \$500. Effective 5/11/07.
- 324.80122(1) **Marine Safety.** No certificate on board that is in full force and effect, or decal or number displayed inappropriately on a vessel (including violating a rule promulgated to implement this section R281.1201 – R281.1209)]. Maximum fine \$500. Effective 5/11/07.
- 324.80124(15) **Marine Safety.** Improper decal display (including violating a rule promulgated to implement this subsection [R281.1206 & R281.1208]). Maximum fine \$500. Effective 5/11/07.
- 324.80124(17) **Marine Safety.** No decal issued for a vessel or expired decal. Maximum fine \$500. Effective 5/11/07.
- 324.80142 **Marine Safety.** Persons under 6 years of age not wearing a personal floatation device. Maximum fine \$100. Effective 4/18/96.
- 324.80143a **Marine Safety.** Persons not carrying, storing, maintaining, or using required marine safety equipment onboard. Maximum fine \$100. Effective 11/1/12.
- 324.80144 **Marine Safety.** Violating enumerated operation rules when there is risk of collision, 1st violation (2nd and subsequent violations remain misdemeanors). Maximum fine \$500. Effective 5/11/07.
- 324.80145 **Marine Safety.** Basic speed law violation. Maximum fine \$500. Effective 5/11/07.

- 324.80146 **Marine Safety.** Exceeding 55 mph speed limit or violating no-wake speed zone that does not constitute reckless operation (unless waived for authorized marine events). Maximum fine \$500. Exceptions noted. Effective 5/11/07.
- 324.80149 **Marine Safety.** Counterclockwise operation violation or 100-foot rule violation on any of the Great Lakes, Lake St. Clair, or the St. Clair River (violations on other bodies of water remain misdemeanors). Maximum fine \$500. Effective 5/11/07.
- 324.80151 **Marine Safety.** Towing a skier after dark. Maximum fine \$500. Effective 5/11/07.
- 324.80152(1)(a) **Marine Safety.** Failing to have a properly positioned observer onboard when towing a person. Maximum fine \$100. Effective 11/1/12.
- 324.80152(1)(b) **Marine Safety.** Failing to have a person being towed wear a proper personal flotation device. Maximum fine \$100. Effective 11/1/12.
- 324.80152(3)&(4) **Marine Safety.** A person who is 16 years of age or older failing to wear a proper personal flotation device while being towed. Maximum fine \$100. Effective 11/1/12.
- 324.80180(2)(e) **Marine Safety.** Refusing PBT. Maximum fine \$500. Effective 5/11/07¹.
- 324.80198b(1) **Marine Safety.** No buoys on a public beach. Maximum fine \$500. Effective 5/11/07.
- 324.80198b(2) **Marine Safety.** Swimming outside a buoyed swimming area. Maximum fine \$500. Effective 5/11/07.
- 324.80205(8) **Personal Watercraft.** 150-foot rule violation. Maximum fine \$500. Effective 5/11/07.
- 324.80205(9) **Personal Watercraft.** 2-foot rule violation. Maximum fine \$500. Effective 5/11/07.
- 324.80206 **Personal Watercraft.** Operating outside channel or where aquatic rooted vegetation visible above surface. Fine \$25. Effective 6/27/00.
- 324.80217 **Personal Watercraft.** Dealer failing to advise customers of boating safety courses in area. Fine \$100. Effective 6/27/00.
- 324.80218 **Personal Watercraft.** Dealer failing to provide customers with DNR documents containing PWC laws and safety features. Fine \$100. Effective 6/27/00.
- 324.81105 **Off-Road Vehicles.** Failing to deliver or obtain certificate of title upon sale or assignment to person. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)

¹ Prior to 5/11/07, maximum fine was \$100.

- 324.81107 **Off-Road Vehicles.** Failing to deliver or obtain manufacturer's certificate of origin upon sale or transfer to dealer. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)
- 324.81109 **Off-Road Vehicles.** Failing to apply for certificate of title. Maximum fine \$100. Effective 4/18/96.
- 324.81115 **Off-Road Vehicles.** Operating unlicensed ORV. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)
- 324.81116 **Off-Road Vehicles.** Providing false information on application for license. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)
- 324.81121 **Off-Road Vehicles.** Violating dealer rental regulations. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)
- 324.81130 **Off-Road Vehicles.** Failing to complete ORV safety education course. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)
- 324.81133 **Off-Road Vehicles.** Operating: (b) without approved helmets and protective eyewear; (c) without tail and head lights as required; (d) without adequate braking system, brake lights, or throttle that does not idle when released; (f) on a frozen surface in violation of 100-foot rule; (g) without adequate muffler; (h) within 100 feet of a dwelling at prohibited speed; (j) at designated times on land open to hunting during firearm deer season, with exceptions; (l) on or across cemetery, burial ground or land used as airport; or (m) within 100 feet of slide, ski, or skating area, with exceptions. Maximum fine \$500. Effective 4/18/96. (See MCL 324.81147)
- 324.81141(5) **Off-Road Vehicles.** Refusing PBT. Maximum fine \$100. Effective 4/18/96.
- 324.82118 **Snowmobiles.** Failing to obtain snowmobile trail permit sticker. Maximum fine \$100. Effective 6/12/01.
- 324.82126(2) **Snowmobiles.** Muffler violations. Fine not less than \$100 or more than \$250. Effective 3/13/08.
- 324.82126a **Snowmobiles.** Careless or negligent operation. No fine listed. Effective 3/23/99.
- 324.83109 **State Forest Recreation.** Violating state forest use regulation. Maximum fine \$500. Effective 12/29/98.
- 333.13110 **Body Art Facilities.** Giving/selling body piercing kit or device to minor. Maximum fine \$500. Effective 12/13/07.

- 333.17766e **Pharmacy Practice and Drug Control.** Violating requirements for retail sale of ephedrine or pseudoephedrine. Maximum fine \$50. Effective 12/15/05. Increase in maximum fine to \$500 effective 7/15/11.
- 333.26312 **Medical Emergencies in Health Clubs.** Failing to employ person trained in basic first aid, basic CPR, and AED use, failure to have accessible AED, and failure to develop and implement emergency plan. [Penalty in MCL 333.26314] Maximum fine: 1st violation - \$250; 2nd violation - \$500; 3rd or subsequent violation - \$1,000. Effective 2/16/06.
- 388.852 **Construction of School Buildings.** Architect or engineer failing to provide for sufficient structural strength and fire resistance, unless otherwise designated. Maximum fine \$10,000. Effective 12/23/02.
- 408.684 **Playground Equipment Safety.** Violating safety standards. [Penalty in MCL 408.685] Manufacture: maximum fine \$10,000. Assembly: maximum fine \$1,000. Civil fine designated for Children's Trust Fund, MCL 21.171. (This is contrary to MCL 600.8831 establishing state civil infraction fines for support of libraries.) Effective 5/1/98.
- 436.1701(1) **Michigan Liquor Control Code.** Selling/furnishing alcohol to a minor as part of a “sting” operation. Maximum fine \$100. Effective 12/30/02
- 436.1703(7) **Michigan Liquor Control Code.** Minor refusing preliminary breath test. Maximum fine \$100. **Declared unconstitutional and enforcement enjoined in the court case of *Platte v Thomas Twp.*, 504 F Supp 2d 227 (ED Mich, 2007).**
- 445.435 **Nonferrous Metal Regulatory Act.** Violating the act except for a violation of MCL 445.427(1) or 445.429. Maximum fine \$5,000. Effective 4/1/09.
- 445.2083 **Plastic Bulk Merchandise Container Act.** Violating dealer purchase or seller requirements. Maximum fine \$5,000. Effective 12/18/12.
- 480.17 **Motor Carrier Safety Act.** Violating the act or a rule promulgated under the act unless otherwise designated. Maximum fine \$250. Effective 5/15/00.²
- 480.17b **Motor Carrier Safety Act.** Serious safety defect violations. Maximum fine \$500.³ Effective 10/20/05.
- 480.17c **Motor Carrier Safety Act.** Operating or requiring/permitting a person to operate in violation of the act or a rule promulgated under the act if the vehicle is transporting a

² Amended from “civil infraction” to “state civil infraction” effective 10/20/05.

³ Maximum fine increased from \$300 to \$500, and amended from “civil infraction” to “state civil infraction” effective 10/20/05.

package required to be marked or labeled under 49 CFR parts 100 to 180, unless otherwise designated. Maximum fine \$500. Effective 6/24/04.

- 600.586 **Court Officers.** Sheriff, deputy sheriff or medical examiner licensed to practice law violating limits on their practice of law. Maximum fine \$500. Effective 4/18/96.
- 722.687 **Ultra-violent Explicit Video Games.** Knowing dissemination to minor of ultra-violent explicit video game harmful to minors. Maximum fine: 1st violation - \$5,000; 2nd violation - \$15,000; 3rd or subsequent violation - \$40,000. Effective 12/1/05.
- 750.143a **Penal Code – Children.** Failing to prominently post video game rating system sign (or notify consumers that a rating system is available) and make information available to consumers upon request. Maximum fine \$1,000. Effective 12/1/05.
- 801.4b **County Jails.** Failing to pay \$12 fee to county sheriff. Fine \$100. Effective 10/1/03.
- 801.10 **County Jails.** Sheriff misusing prisoner labor on public works projects. Maximum fine \$500. Effective 4/18/96.

All state civil infractions are eligible to be reported as “FCPV” to SOS for Failure to Comply with Judgment using Offense Code 9300. SOS will place a hold on renewal of the driver license of the defendant.